

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 4062.14US01

Jose De La Torre-Bueno

Confirmation No.: 4964

Application No.: 09/542,091

Examiner: Vikram Bali

Filed: April 3, 2000

Group Art Unit: 2624

For: REMOTE INTERPRETATION OF MEDICAL IMAGES

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DECLARATION PURSUANT TO 37 C.F.R. § 1.132

I, Rui-Tao Dong, hereby declare and state as follows:

1. I am an employee of Carl Zeiss MicroImaging AIS, Inc., the current Assignee of U.S. Patent Application No. 09/542,091.
2. I have worked in the field of Machine Vision for about fifteen years, and I have personal knowledge of the facts that are stated herein.
3. I am submitting this Declaration in support of the traversal of rejections made in a Office Action dated September 27, 2007 in United States Patent Application No. 09/542,091.
4. I understand that the Examiner in the above referenced patent application has rejected claims 31-43 under 35 U.S.C § 112 as failing to meet the enablement requirement. The Examiner has alleged that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make and/or use the invention. Specifically, the Examiner alleges that the limitations "allowing selection of a

region of the compressed medical image at the second location" in claim 31 are not enabled and the limitations "receiving said compressed medical image, a viewing part enabling said image to be viewed and enabling a region of said image to be selected" are not enabled.

5. Based on my personal knowledge and experience in the field of Machine Vision one skilled in the art of Machine Vision could have made and used the invention, including the limitations that the Examiner has identified above, at the time that the application was filed on April 3, 2001 based on the description in the specification.
6. It is common term of art in this field to refer to an image that has undergone lossy image compression and then been uncompressed as a "compressed image." An image that has undergone lossy compression and then been uncompressed may appear identical to the uncompressed original image. However, the data loss that occurs in lossy compression and uncompression may create errors in a computerized image analysis performed by computer equipment.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I acknowledge that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001) and may jeopardize the validity of the application or any patent issuing thereon. 37 C.F.R. § 1.68.

Executed this 25th day of March, 2008.

  
Rui-Tao Dong